

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
DOCKET NO. 3:10-cv-00109-FDW-DCK**

RAYMOND A. JOHNSON,

Plaintiff,

vs.

HENDRICK AUTOMOTIVE GROUP,

Defendant.

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ORDER

THIS MATTER is before the Court on Plaintiff's Motion to Reconsider (Doc. No. 27) the Court's Order dated September 10, 2010 (Doc. No. 25) granting in part and denying in part Defendant's Motion to Dismiss (Doc. No. 13). The Court has reviewed the Plaintiff's Motion, and **DENIES** such Motion because Plaintiff has presented no new arguments that warrant reconsideration.

Plaintiff appears to ask the Court to reconsider namely because Plaintiff is challenging the authenticity of "General Release II" signed on September 12, 2008. The Court has already recognized Plaintiff's contention in its September 10, 2010 Order, which states, "By raising the issue of the validity of this General Release II, Plaintiff has, for purposes of this Court's analysis, challenged its authenticity and has therefore removed this Court's ability to consider the document at this early stage." (Doc. No. 25 at 5).

Accordingly, **IT IS HEREBY ORDERED** that Plaintiff's Motion for Reconsideration (Doc. No. 27) is **DENIED**. As previously directed, Defendant shall promptly file its answer, and the parties should immediately proceed to an initial attorneys' conference and submission of the Certificate of Initial Attorney FRCP 26(f) Conference Form in accordance with the applicable local rules and standing orders governing this case. Should Plaintiff fail to participate in an initial

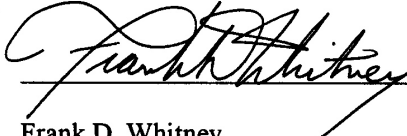
attorneys' conference, this case may be dismissed for failure to move this case forward and for failure to comply with the local rules and the undersigned's standing orders.

The Court also recognizes that Plaintiff has filed a Motion to Amend his Complaint (Doc. No. 29). The Court will reserve ruling on this matter until a response is received from Defendant, which is due October 7, 2010.

The Clerk is directed to send a copy of this Order to *pro se* Plaintiff, at 4610 Arching Oak Lane, Apt. D, Charlotte, NC 28212, which is Plaintiff's address of record.

IT IS SO ORDERED.

Signed: September 21, 2010


Frank D. Whitney
United States District Judge

